

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RANDOLPH L. MOORE,

Petitioner,

v.

WILLIAM GITTERE, *et al.*,

Respondents.

Case No. 2:13-cv-0655-JCM-DJA

ORDER GRANTING MOTION
FOR EXTENSION OF TIME
(ECF NO. 173)

In this capital habeas corpus action, on May 19, 2023, the petitioner, Randolph L. Moore, who is represented by appointed counsel, filed his reply to Respondents' answer (ECF No. 166), along with a motion for leave to conduct discovery (ECF No. 168) and a motion for evidentiary hearing (ECF No 170). After a 30-day initial period (ECF No. 51) a 45-day extension of time (ECF No. 172), and a 60-day extension of time (ECF No. 174), Respondents had until October 3, 2023, to file a response to Moore's reply and responses to his motions for leave to conduct discovery and for evidentiary hearing.

On September 27, 2023, Respondents filed a motion for extension of time (ECF No. 175), requesting a further 21-day extension of time, to October 24, 2023, for their response to Moore's reply and responses to Moore's motions. Respondents' counsel states that he needs this extension of time because of his obligations in other cases. Respondents' counsel represents that Moore does not oppose the motion for extension of time.

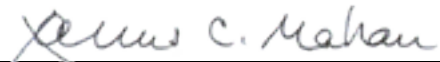
The Court finds that Respondents' motion for extension of time is made in good faith and not solely for the purpose of delay, and that there is good cause for the requested extension of time. The Court will grant the extension of time.

Respondents' motion is ambiguous with respect to whether they request an extension of time for just their response to Moore's reply or for both that response to

1 Moore's reply and their responses to Moore's motions. See Motion for Extension of
2 Time (ECF No. 175), p. 1, lines 17–21; p. 2, lines 17–21; p. 3, lines 12–13; p. 4,
3 lines 1–2. To be clear, by this order, the Court extends the time for Respondents'
4 response to Moore's reply *and* their responses to Moore's motions. Moore's replies in
5 support of his motions will be due 20 days *after Respondents file their response to his*
6 *reply*.

7 **IT IS THEREFORE ORDERED** that Respondents' Motion for Extension
8 of Time (ECF No. 175) is **GRANTED**. Respondents will have until and including
9 **October 24, 2023**, to file a response to Petitioner's reply, and responses to Petitioner's
10 motions for leave to conduct discovery and for an evidentiary hearing. Petitioner's
11 replies in support of his motion for leave to conduct discovery and motion for evidentiary
12 hearing will be due 20 days after Respondents file their response to Petitioner's reply.

13
14 DATED September 29, 2023.

15
16 
17 JAMES C. MAHAN
18 UNITED STATES DISTRICT JUDGE
19
20
21
22
23
24
25
26
27
28